

22.11.2024
Sl. No.17
akd
[ALLOWED]

C. R. M. (A) 4051 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 14.11.2024 in connection with Barasat Police Station Case No.910 of 2023 dated 17.12.2023 under Sections 341/326/307/302/34 of the Indian Penal Code. (G.R. Case No.3973 of 2023)

And

In Re: ***Pinki Das***

... .. Petitioner

Mr. Soubhik Mitter
Ms. Rajnandini Das

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
Ms. Puspita Saha

... .. for the State

1. Petitioner is the widow of the deceased. It is submitted materials on record show after the alleged incident deceased had suffered a road accident and died. Petitioner and others were falsely implicated. Co-accused have been enlarged on regular bail. Accordingly, she prays for anticipatory bail.
2. Learned Additional Public Prosecutor opposes the prayer for anticipatory bail and submits petitioner had illicit relationship with co-accused and had motive to commit the crime.
3. We have considered the materials on record. Petitioner is not one of the assailants. That apart, after the assault victim was released from hospital and suffered a road accident. Then he died. In this backdrop, it is doubtful whether death was due to assault or due to the intervening road accident. Co-accused have been enlarged on regular bail. Under such circumstances, we are of the opinion custodial interrogation of the petitioner is not necessary and she may be granted anticipatory bail.

4. Accordingly, we direct in the event of arrest, the petitioner, namely, ***Pinki Das***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

5. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)